



DIVISION

Dep & Ref  
Room # 307

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Mitsuzou NOGAMI et al.

P.T.O. Confirmation No.: 7364

Serial Number: 09/622,615

Group Art Unit: 1745

Filed: August 18, 2000

Examiner: MERCADO, JULIAN A

For: NICKEL ELECTRODE FOR ALKALINE STORAGE BATTERY, METHOD  
OF PRODUCING NICKEL ELECTRODE FOR ALKALINE STORAGE BATTERY,  
AND ALKALINE STORAGE BATTERY

Attorney Docket No.: 000774

Customer Number: 38834

REQUEST FOR REFUND

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

January 25, 2005

Sir:

The undersigned respectfully requests a refund in the amount of \$920.00 charged in error to our deposit account No. 50-2866 for the above-identified patent application. A copy of the Deposit Account monthly statement of December 13, 2004 accompanies this Request.

The Request for Continued Examination and the Petition for Withdrawal from Issue were filed on October 29, 2004, together with the fee. This amount of \$920.00 was paid when the application was filed on October 29, 2004. A copy of the date-stamped return post card and the check is attached.

Applicants request that the Patent Office refund the amount of \$920.00 to Deposit Account 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

*Shuji Yoshizaki*  
Shuji Yoshizaki  
Limited Recognition

SY/mt  
1250 Connecticut Avenue, NW  
Suite 700  
Washington, D.C. 20036  
(202) 822-1100

Enclosures: Deposit Account Monthly Statement of December 13, 2004  
A copy of Date Stamped Postcard  
A copy of Check Stub #5518 for \$920.00  
Limited Recognition

Q:\2000\000774\000774 request for refund.doc

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**BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE  
UNITED STATES PATENT AND TRADEMARK OFFICE**

**LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)**

Shuji Yoshizaki is hereby given limited recognition under 37 CFR §10.9(b) as an employee of Westerman Hattori Daniels & Adrian, LLP. to prepare and prosecute patent applications wherein the patent applicant is the client of Westerman Hattori Daniels & Adrian, LLP., and the attorney or agent of record in the applications is a registered practitioner who is a member of Westerman Hattori Daniels & Adrian, LLP. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) Shuji Yoshizaki ceases to lawfully reside in the United States, (ii) Shuji Yoshizaki's employment with Westerman Hattori Daniels & Adrian, LLP. ceases or is terminated, or (iii) Shuji Yoshizaki ceases to remain or reside in the United States on an H-1B visa.

This document constitutes proof of such recognition. The original of this document is on file in the Office of Enrollment and Discipline of the U.S. Patent and Trademark Office.

**Expires: July 7, 2007**

\_\_\_\_\_  
Harry I. Moatz  
Director of Enrollment and Discipline

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**United States  
Patent and  
Trademark Office**

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**Deposit Account Statement**

**Requested Statement Month:** December 2004  
**Deposit Account Number:** 502866  
**Name:** WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP  
**Attention:** ACCOUNTS PAYABLE  
**Address:** 1250 CONNECTICUT AVE, NW  
**City:** WASHINGTON  
**State:** DC  
**Zip:** 20036

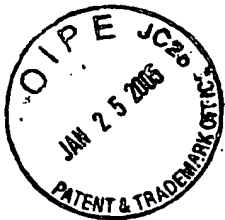
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12/21 4	10198168	KAY-0211; 85	1402	\$340.00	\$2,441.00
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START	SUM OF	SUM OF	END
BALANCE	CHARGES	REPLENISH	BALANCE
\$4,896.00	\$8,626.00	\$13,935.00	\$10,205.00

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U.S. Patent Application

Docket No: 000774

Serial No.: 09/622,615

Filed: August 18, 2000

Applicant: Mitsuzou NOGAMI et al.

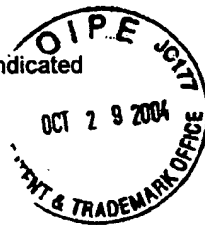
Papers filed herewith on: October 29, 2004

Other: Petition for Withdrawal from Issue; RCE Transmittal;  
IDS w/PTO-1449 & 6 Refs. ;  
Fee \$920.00 (\$130.00 for Petition & \$790.00 for RCE)

**COMMISSIONER OF PATENTS**

Receipt is hereby acknowledged of the papers filed as indicated  
in connection with the above-identified case.

SY/mt



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WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP - OPERATING ACCOUNT			
Client	Matter	Invoice #	Description
3354	0045	3354 0045	
3354	0045	3354 0045	
COMMISSIONER FOR PATENTS AND TRADEMARKS			
10/29/04 Total this sub			
			5518
			790.00
			130.00
			920.00



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RCE/1345 Jm

PTO/SB/39 (09-04)  
Approved for use through 07/31/2008. OMB 0651-0031  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it contains a valid OMB control number.

# Request for Continued Examination (RCE) Transmittal

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/622,615
Filing Date	August 18, 2000
First Named Inventor	Mitsuzou NOGAMI et al.
Art Unit	1745
Examiner Name	MERCADO, JULIAN A
Attorney Docket Number	000774

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☐ Amendment/Reply

iii. ☒ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. ☒ Deposit Account No. 50-2886 I have enclosed a duplicate copy of this sheet.

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☒ Other Petition for Withdrawal from Issue

11/01/2004 H8UTEM1 00000034 09622615

01 FC:1801

790.00 CR

b. ☒ Check in the amount of \$ 920.00 enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	Shuji Yoshizaki (Limited Recognition)	Date	October 28, 2004
Name (Print/Type)	Shuji Yoshizaki	Registration No.	

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature		Date	
Name (Print/Type)			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

12/13/2004 AKELLEY 00000002 502866 09622615

02 FC:1801 790.00 DA

Adjustment date: 04/07/2005 SDIRETA1  
12/13/2004 AKELLEY 00000002 502866 09622615  
02 FC:1801 790.00 CR

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**OFFICE OF PETITIONS**



Petition under 37 C.F.R. §1.313(c)(2)

In re the Application of: Mitsuzou NOGAMI et al.

P.T.O. Confirmation No.: 7364

Serial Number: 09/622,615

Group Art Unit: 1745

Filed: August 18, 2000

Examiner: MERCADO, JULIAN A

For: **NICKEL ELECTRODE FOR ALKALI STORAGE BATTERY, METHOD  
OF PRODUCING NICKEL ELECTRODE FOR ALKALI STORAGE BATTERY,  
AND ALKALI STORAGE BATTERY**

Attorney Docket No.: 000774

Customer Number: 38834

**PETITION FOR WITHDRAWAL FROM ISSUE UNDER 37 CFR §1.313(c)(2)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

October 29, 2004

Sir:

It is respectfully requested that the present application be withdrawn from issue for consideration of a Request for Continued Examination and the attached submission of an Information Disclosure Statement.

A Request for Continued Examination and an Information Disclosure Statement are submitted concurrently herewith.

Enclosed please find our check in the amount of \$920.00 (\$130.00 for the petition fee and \$790.00 for the RCE filing fee).

11/01/2004 HSUTENAI 00000034 09622615

02 FC:1460 130.00 CR

12/13/2004 AKELLEY 00000002 502866 09622615

01 FC:1460 130.00 CR

Adjustment date: 04/07/2005 SDIRETA1  
12/13/2004 AKELLEY 00000002 502866 09622615  
01 FC:1460 130.00 CR

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